



ELECTION NEWS

A special informational bulletin on the implementation of Michigan's new "consolidated elections" legislation

Michigan Department of State - Terri Lynn Land, Secretary of State

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Reimbursement of Costs Related to the Conduct of May 3 Election

The following article outlines the election reimbursement responsibilities shared by the various governmental entities which will appear on the May 3 election ballot.

A suggested reimbursement claim form is available on the Department of State's website <www.michigan.gov/sos>. To locate the form, click on "Elections in Michigan"; on the Elections in Michigan page, click on "Information for Election Administrators." The claim form can be accessed under the "Election Resources" section in the middle of the page.

School Districts: Local school districts, intermediate school districts and community college districts are required to reimburse the expenses incurred by a county, city or township when conducting a regular or special election on behalf of the school district as explained below. (MCL 168.315 as amended under PA 302 of 2003)

- If a regular or special school election is held in conjunction with another election conducted by the county or local jurisdictions involved, the local school district, intermediate school district or community college district is responsible for any added costs attributable to the conduct of the district's regular or special election.
- If a regular or special school election is not held in conjunction with another election conducted by the county or local jurisdictions involved, the district is responsible for 100% of the costs attributable to the conduct of the district's regular or special election.

City, township and village library boards: City, township and village library boards are required to reimburse the expenses incurred by a county, city or township when conducting a special election on behalf of the library board as explained below. (MCL 397.210c as amended under PA 81 of 1994)

- If a special library board election is held in conjunction with another election conducted by the county or local jurisdiction involved – including a regular or special election conducted on behalf of a local school district, intermediate school district or community college district – the library board is responsible for sharing the costs of the election.
- If a special library board election is not held in conjunction with another election conducted by the county or local jurisdiction involved, the library board is responsible for 100% of the costs attributable to the conduct of the special election.

District libraries that do not include a school district as a participating member: District libraries that do not include a school district as a participating member are required to reimburse the expenses incurred by a city or township when conducting a regular or special election on behalf of the district library as explained below. (MCL 397.193(2) as added under PA 24 of 1989)

- If the district library election is held in conjunction with a city or township election, the district library board is responsible for any added costs attributable to the conduct of the district library board's election.
- If the district library board election is not held in conjunction with a city or township election, the district library board is responsible for 100% of the costs attributable to the conduct of the district library board's election.

District libraries that include a school district as a participating member: District libraries that include a school district as a participating member are required to reimburse the expenses incurred by a county, city or township when conducting a regular or special election on behalf of the district library as explained below. (MCL 397.193(3) as added under PA 24 of 1989)

- If the district library election is held in conjunction with a regular or special election scheduled by the participating school district, the district library board is responsible for any added costs attributable to the conduct of the district library board's election.
- If the district library election is not held in conjunction with a regular or special election scheduled by the participating school district, the district library board is responsible for 100% of the costs attributable to the conduct of the district library board's election.

Final note regarding district library elections: It merits final note that if a district library election is held in conjunction with a regular or special election conducted on behalf of a school district that is not a participating member of the district library, the district library board and the school district are responsible for sharing the costs of the election

Information on Polling Place Accessibility Program Released April 22

On April 22, 2005, an informational packet on the newly announced "Polling Place Accessibility Program" was mailed to those cities and townships that previously reported on a "Polling Place Accessibility Checklist" that they have at least one polling place that is not fully compliant with the Americans with Disabilities Act (ADA). Eligible cities and townships that need to make accessibility improvements in buildings used as polling places can obtain financial assistance under the program to pay for the needed improvements. The grant program is funded through the Help America Vote Act of 2002.

City and township clerks are reminded that all buildings used as polling places must be fully compliant with the accessibility standards provided under the Americans with Disabilities Act (ADA). If a building used as a polling place cannot be brought into compliance with the ADA standards, another polling place location must be secured.

Information on the Polling Place Accessibility Program can be accessed through the Department of State's website <www.michigan.gov/sos>. The deadline for applying for a grant award under the program is June 24, 2005.

Questions regarding the grant program can be directed to Amy Shell of the Michigan Department of State's Bureau of Elections:

Ms. Amy Shell
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County and Local Proposals: Upcoming Deadlines for August 2 Election, September 13 Election and November 8 Election

August 2, 2005 Election

By May 20

Petitions to place county and local questions on the August 2 election ballot filed with county and local clerks. (If governing law sets an earlier petition filing deadline, earlier deadline must be observed.)

By June 3

Ballot wording of county and local proposals to be presented at the August 2 election certified to county and local clerks.

September 13, 2005 Election (City Primaries and Village Elections Only)

By July 1 Petitions to place local questions on the September 13 election ballot filed with city and village clerks. (If governing law sets an earlier petition filing deadline, earlier deadline must be observed.)

By July 15 Ballot wording of local proposals to be presented at the September 13 election certified to city and village clerks.

November 8, 2005 Election

By August 26 Petitions to place county and local questions on the November 8 election ballot filed with county and local clerks. (If governing law sets an earlier petition filing deadline, earlier deadline must be observed.)

By September 9 Ballot wording of county and local proposals to be presented at the November 8 election certified to county and local clerks.

Post-Election Notices and Certifications Related to May 3 Election

Certificate of Election and Acceptance of Office: Within five days after the certification of a school board election, the school district's "election coordinator" is required to issue a "Certificate of Election" to each elected candidate. Within 10 days after the issuance of the certificate, the newly elected candidate is required to file an "Acceptance of Office" with the secretary of the school board. The secretary of the school board is required to forward a copy of the "Acceptance of Office" to the school district's election coordinator. (MCL 168.308 as amended under PA 302 of 2003; MCL 168.309 as amended under PA 288 of 2004)

Oath of Office: Before entering upon the duties of his or her office, an elected school board member must take and file the oath provided in Article XI, Section 1, of the State Constitution. (MCL 168.310(1) as amended under PA 302 of 2003) The oath is filed with the secretary of the school board.

Post-Election CFR Compliance Statement: Any candidate elected to office on the state, county or local level is required to file an affidavit prior to assuming office which states that at the date the affidavit was executed all statements, reports, error or omission notice responses, late filing fees, and fines required of the candidate or any Candidate Committee organized to support the candidate's election under Michigan's Campaign Finance Act have been filed or paid.

- The affidavit is not required of an elected candidate who 1) is exempt from the filing requirements of Michigan's Campaign Finance Act or 2) did not receive or expend more than \$1,000.00 during the election cycle.

- An elected candidate who is required to file a Post-Election Campaign Finance Compliance Statement must submit the affidavit to the filing official designated to receive the elected candidate's campaign finance disclosure filings.
- The most recent version of the Post-Election Campaign Finance Compliance Statement form (August 2003 revision) can be accessed through the Department of State's website <www.michigan.gov/sos>. (Click on "Elections in Michigan." On the Elections in Michigan page, click on "Publication and Forms.")
- An elected candidate who is required to file the statement who fails to submit the form is guilty of a misdemeanor punishable by "fine of up to \$500.00 or imprisonment for up to 93 days, or both."

Canvass of May 3 School District Elections: Points to Remember

- In an instance where a school district falls in more than one county, the board of county canvassers in the county in which the greatest number of registered voters in the school district reside is responsible for canvassing and certifying the school district's election. (MCL 168.24a(1))
- If a ballot question appears on the May 3 election ballot concerning authorized millage subject to a millage reduction as provided under MCL 211.34d of the General Property Tax Act ("Headlee override"), the board of county canvassers is required to canvass and certify the votes cast on the proposal after May 31 and before June 15 following the election. (MCL 168.821(2) as amended under PA 302 of 2003)
- After the conduct of the May 3 election, all county clerks will be asked to forward a copy of the county canvassers' statement prepared for the election to the Michigan Department of State's Bureau of Elections.